

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TERESA FOX; and EDWARD ISKRA,

Plaintiffs,

v.

KITSAP COUNTY, a Municipal corporation  
of the State of Washington; KEITH  
BARKOW; DERRICK CRAWLEY;  
CYNTHIA BAKER; SCOTT P. RIDDELL,

Defendants.

Case No. C06-5698RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendants' Motion to Compel [Dkt. #27].

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Defendants have moved to compel answers to interrogatories and responses to requests for production. The answers and responses were due on September 16, 2007. Plaintiffs have responded that the material sought is substantial and that it is time-consuming to compile. Counsel for plaintiffs also declares that the discovery will be provided to defendants' counsel by November 5, 2007. The date of this Order is subsequent to November 5, 2007; as such, the Court assumes that as of today's date the discovery has been provided. Therefore, Defendants' Motion to Compel is **DENIED as MOOT**. Furthermore, the Court declines to order fees and costs pursuant to Fed. R. Civ. P. 37(d) and declines to order that all objections to the substance of the discovery requests have been waived pursuant to Fed. R. Civ. P. 33 (b)(4).

**IT IS SO ORDERED.**

1 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing  
2 pro se.

3 Dated this 7<sup>th</sup> day of November, 2007.

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5 RONALD B. LEIGHTON  
6 UNITED STATES DISTRICT JUDGE  
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